

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

**STEARNS BANK, N.A.,
Garnishor**

vs.

**RIO BANK, FALCON BANCSHARES,
INC., FIDELITY INVESTMENTS, LONE
STAR NATIONAL BANK, IBC BANK
A/K/A INTERNATIONAL
BANCSHARES CORPORATION and
TEXAS REGIONAL BANK,
Garnishees**

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CIVIL ACTION NO. _____

APPLICATION FOR WRIT OF GARNISHMENT AFTER JUDGMENT

TO THE HONORABLE JUDGE OF THIS COURT:

STEARNS BANK, N.A. (hereinafter "Garnishor"), by and through its attorney in fact, Rick A. Zuniga, makes application for the issuance of a writ of garnishment against **RIO BANK, FALCON BANCSHARES, INC., FIDELITY INVESTMENTS, LONE STAR NATIONAL BANK, IBC BANK A/K/A INTERNATIONAL BANCSHARES CORPORATION** and **TEXAS REGIONAL BANK** (hereinafter "Garnishees"), and as grounds for the writ shows:

PARTIES

1. The parties to this Application for Writ of Garnishment are:

1.1 Garnishor, **STEARNS BANK, N.A.** is a bank duly authorized to conduct business in the State of Texas.

1.2 Garnishee, **RIO BANK** is a Texas state financial institution. Service of the writ of garnishment may be had on the garnishee by serving its registered agent, A. Ford Sasser, III at 1655 N. 23rd Street, McAllen, Texas 78501, or wherever he may be found.

1.3 Garnishee, **FALCON BANCSHARES, INC.** is a Texas state financial institution. Service of the writ of garnishment may be had on the garnishee by serving its registered agent, Adolfo E. Gutierrez, at its registered office for service of process 811 Calton Road, Laredo, Texas 78041, or any bank representative at 500 East Highway 83, McAllen, Texas 78501 or wherever he may be found.

1.4 Garnishee, **FIDELITY INVESTMENTS** is a Texas state financial institution. Service of the writ of garnishment may be had on the garnishee by serving its registered agent, Daniel C. Lemay, 2921 Suffolk Court East, Ste. 350, Fort Worth, Texas 76133 or at any other location wherever they can be found.

1.5 Garnishee, **LONE STAR NATIONAL BANK** is a Texas state financial institution. Service of the writ of garnishment may be had on the garnishee by serving its registered agent, David M. Penoli at 520 E. Nolana Avenue, McAllen, Texas 78504, or wherever he may be found.

1.6 Garnishee, **IBC BANK A/K/A INTERNATIONAL BANCSHARES CORPORATION** is a Texas state financial institution. Service of the writ of garnishment may be had on the garnishee by serving its registered agent, Dennis Nixon at 1200 San Bernardo, Laredo, Texas 78041, or wherever he may be found.

1.7 Garnishee, **TEXAS REGIONAL BANK** is a Texas state financial institution. Service of the writ of garnishment may be had on the garnishee by serving its registered agent, George Mukhar at 1801 South McColl Road, McAllen, Texas 78501, or wherever he may be found.

GARNISHMENT

2. On June 7, 2021, in United States District Court for the Southern District of Texas, McAllen Division, in a cause numbered 7:21-cv-00091, and styled *Renryder*,

LLC, et al v. Stearns Bank,, LLC, Garnishor recovered a judgment (the “Judgment”) against Judgment Debtors for the sum of:

1. The sum of One Million One Hundred Forty-Five Thousand Forty-Four and 60/100ths (\$1,145,044.60) as of April 6, 2021;
2. Pre and Post Judgment interest of \$173.53 per day from April 6, 2021 until paid; and
3. Reasonable and necessary attorneys' fees and expenses in the amount of \$6,000.00 for the prosecution of this case through this judgment.

A true and correct copy of the Judgment is attached hereto as Exhibit A and incorporated by reference. This judgment is final, valid, and remains entirely unsatisfied.

3. Judgment Debtors do not have, within the Garnishor’s knowledge, property within this state, subject to execution, sufficient to satisfy this judgment.

4. Garnishor has reason to believe, and does believe, that Garnishees, may be indebted to Judgment Debtors Renryder, LLC, Federico R. Sandoval and/or Armandina L. Sandoval by maintaining or holding funds payable or other funds. Garnishor states that address and/or social security numbers for Judgment Debtors are as follows:

Armandina Fuentes Sandoval
223 S. Cypress Circle
Pharr, Texas 78577
SSN: 449-60-xxxx

Fred Rene Sandoval
219 S. Cypress Circle
Pharr, Texas 78577
SSN: 464-53-xxxx

Renryder LLC
219 S. Cypress Circle
Pharr, Texas 78577
FEIN: 81-1064386

This garnishment is not sought to injure or harass the Garnishee or the Judgment Debtors by sending out a Writ of Garnishment. Rather, Garnishor is attempting to collect on a Judgment. Garnishor requests that if Garnishees are indebted to any of the

Judgment Debtors by an account or otherwise, that Garnishee hold and allow Garnishor to garnish said belongings.

5. Based on the foregoing, Garnishor requests that a writ of garnishment be issued and served on Garnishees and that Garnishees answer the writ of garnishment as required by law.

6. In support of its Application for Writ of Garnishment, Garnishor relies on, attached as Exhibit B, and incorporates by reference the Affidavit of Rick Zuniga.

PRAYER

WHEREFORE, PREMISES CONSIDERED, STEARNS BANK, N.A. requests that a Writ of Garnishment be issued to Garnishees as above described and that Garnishor have judgment against Garnishees to partially or totally satisfy the claim above-mentioned as provided by law, together with all costs of Court incurred in this proceeding, and such other relief to which Garnishor may be justly entitled.

Respectfully submitted,

By: /s/Rick A. Zuniga

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